



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,614	04/22/2004	Paul L. Falkenstein	NC 96,039	7320
26384 7590 07/01/2009 NAVAL RESEARCH LABORATORY ASSOCIATE COUNSEL (PATENTS) CODE 1008.2 4555 OVERLOOK AVENUE, S.W. WASHINGTON, DC 20375-5320			EXAMINER DEGHAN, QUEENIE S	
			ART UNIT 1791	PAPER NUMBER
			MAIL DATE 07/01/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10829614	4/22/2004	FALKENSTEIN ET AL.	NC 96,039

NAVAL RESEARCH LABORATORY  
ASSOCIATE COUNSEL (PATENTS)  
CODE 1008.2  
4555 OVERLOOK AVENUE, S.W.  
WASHINGTON, DC 20375-5320

**EXAMINER**

QUEENIE DEGHAN

ART UNIT	PAPER
1791	20090629

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The following is in response to the Order Returning Undocketed Appeal to Examiner, mailed June 25, 2009.

The Examiner inadvertently left out several references under section (8) for Evidence relied upon in the Examiner's answer dated December 3, 2007. The complete list includes:

Berkey et al. (US Patent Publication 2004/0050110),  
Siegmund (US 3,275,428),  
Fekety et al. (US 6,917,741),  
Sanghera et al. (US Patent Publication 2005/0025965),  
Large et al. (US Patent Publication 2005/0147366),  
Fajardo et al. (US 6,847,771), and  
Sato et al. (US 7,026,025).

The Examiner can be contacted regarding any inquiry concerning this communication at 571-272-8209.

/Eric Hug/  
Primary Examiner, Art Unit 1791